

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MATTHEW JONES,)	
)	
Plaintiff,)	
)	
v.)	Civil Action. No. 19-896-RGA
)	
OFFICER WILLIAM THOMAS,)	
)	
Defendant.)	

MEMORANDUM ORDER

At Wilmington this 13th day of April, 2022,

IT IS ORDERED, as follows:

1. Plaintiff Matthew Jones, who appears *pro se* and has been granted leave to proceed *in forma pauperis*, filed this action on May 13, 2019. (D.I. 2). The matter proceeds on the Amended Complaint. (D.I. 8). On March 16, 2022, this Court reopened discovery “for the limited purpose of discovery of relevant facts to the issues in the case.” (D.I. 70). The case involves allegations against the defendant police officer for actions occurring some time in the first half of November 2017.

2. On April 11, 2022, the Clerk of Court received a mailing from Plaintiff seeking issuance of several subpoenas.

3. Federal Rule Civil Procedure 45 is the rule regarding issuance of a subpoena. A federal court has the inherent power to protect any one from oppressive use of process, even if no oppression is actually intended. *Badman v. Stark*, 139 F.R.D. 601,

605 (M.D. Pa. 1991) (citation omitted). I have reviewed the subpoenas submitted by Plaintiff and **direct** the Clerk of Court to issue the following subpoenas:¹

Delaware State Police – police officers’ handbook, rules and procedures
Greenwood Police Department – police officers’ handbook, rules and procedures
William Penn School District – Plaintiff’s school records
Google Earth – video and audio footage

The Clerk of Court **shall not** issue subpoenas directed to the Greenwood Police Department, Department Motor Vehicles, Defendant, and Daniel Griffith, all of which seeks proof of Defendant’s citizenship as Defendant’s citizenship is not relevant to the issues in this case. Nor shall the Clerk of Court issue a subpoena to Woodbridge Elementary School that seeks yearbooks for the years 1992 through 1998, as the request is so completely irrelevant to any issue in the case so as to be oppressive.

/s/ Richard G. Andrews
UNITED STATES DISTRICT JUDGE

¹ I do this without prejudice to any subsequent objections from the subpoenaed parties.